

1 (Whereupon, the following
2 Proceedings were out of
3 in camera.)

4 JUDGE BRODSKY: Is there anything further from
5 the Company at this point?

6 MR. SPRINGER: No, your Honor. I believe the
7 exhibits have been admitted, and that concludes the
8 presentation of our case.

9 JUDGE BRODSKY: Okay. And then for the
10 Municipality, your witnesses are tomorrow; is that
11 correct.

12 MR. BALOUGH: Tomorrow or there was some
13 discussion about whether they will be required at
14 all, and I don't know what the answer to that is.

15 MR. SPRINGER: Your Honor, the Company will
16 have no cross-examination of the witnesses who, I
17 believe, are Ms. Nemiak (phonetic).

18 MR. BALOUGH: Ms. Nemiak, Mr. Gray and
19 Mr. Berg.

20 MR. SPRINGER: Yes.

21 MR. BALOUGH: And I have those testimonies
22 here, if you want to admit them now. I believe Staff

1 doesn't have any questions, but --

2 JUDGE BRODSKY: Ms. Buell?

3 MS. BUELL: Staff has no questions for those

4 witnesses, your Honor.

5 JUDGE BRODSKY: Okay. So what's the proposal,

6 then? To admit them to sort of stipulate to their

7 admission?

8 MR. BALOUGH: Your Honor, I think they're

9 already ver- -- they were verified when they were

10 filed. So I have copies of what was filed and --

11 JUDGE BRODSKY: Okay.

12 MR. BALOUGH: -- offer them at this time, if

13 that works.

14 JUDGE BRODSKY: And, Mr. Alperin, is that the

15 same story for you or...

16 MR. ALPERIN: I actually, unfortunately, do not

17 have any witnesses.

18 JUDGE BRODSKY: Okay. Right. That was the one

19 point. Very good.

20 MR. BALOUGH: Your Honor, is it okay if I

21 approach the bench so I can --

22 JUDGE BRODSKY: Yes, very well.

1 MR. BALOUGH: Your Honor, first, I have what
2 was previously marked as Champaign Exhibit 1.0, which
3 is the Direct Testimony of Paul A. Berg along with
4 the verification. I have two copies of that
5 testimony.

6 JUDGE BRODSKY: Okay.

7 MR. BALOUGH: Then Mr. Berg filed rebuttal
8 testimony. It's entitled Rebuttal Testimony of
9 Paul A. Berg, Champaign Exhibit 2.0. And I have the
10 two copies of that testimony along with the
11 verification.

12 Then on behalf of the City of Urbana,
13 there was an Urbana Exhibit 1.0, which was the Direct
14 Testimony of William R. Gray, which was filed on
15 e-Docket. And I have a copy here both of which --
16 which has verification, as well.

17 And then there was the Rebuttal
18 Testimony of William Gray on behalf of the City of
19 Urbana, which was marked as Urbana Exhibit 2.0. And
20 attached to that testimony was Urbana Exhibit 2.01,
21 as well. And I have a verified copy of that exhibit.

22 And, your Honor, lastly, on behalf of

1 the Village of Homer Glen, there was filed Direct
2 Testimony of Mary Nemiak. It's HG Exhibit 1.0. I
3 know I have two hard copies of that along with her
4 testimony that was filed Homer Glen Exhibit 1.01, and
5 I have two copies of that exhibit.

6 And lastly, Ms. Nemiak filed rebuttal
7 testimony for -- on behalf of the Village of Homer
8 Glen. Exhibit -- HG Exhibit 2.0. And, again, I have
9 two copies of that testimony.

10 Your Honor, I would offer Homer Glen
11 Exhibit 1.0, 1.01, Homer Glen Exhibit 2.0, the City
12 of Champaign Exhibit 1.0, Champaign Exhibit 2.0 and
13 the City of Urbana Exhibit 1.0, 2.0 and 2.01.

14 JUDGE BRODSKY: Okay. And then one more time,
15 just to verify for the record, Counsel has seen all
16 of these? There's no objections? There's no
17 cross-examination; correct?

18 MR. SPRINGER: That is correct, your Honor.

19 MS. BUELL: Correct, your Honor.

20 MR. ALPERIN: Correct.

21 JUDGE BRODSKY: Okay. That being the case,
22 they're all admitted as marked.

1 (Whereupon, Homer Glen Exhibit
2 Nos. 1.0, 1.01 and 2.0; City of
3 Champaign Exhibit Nos. 1.0 and
4 2.0; and City of Urbana Exhibit
5 Nos. 1.0, 2.0 and 2.01 were
6 admitted into evidence.)

7 JUDGE BRODSKY: So is there anything further,
8 then, Mr. Balough, for any of your clients?

9 MR. BALOUGH: No, your Honor.

10 JUDGE BRODSKY: Okay. Mr. Alperin, anything
11 further?

12 MR. ALPERIN: Nothing further, your Honor.

13 JUDGE BRODSKY: Okay. So just before we close
14 the record, anything further in this matter from
15 anybody?

16 MR. SPRINGER: We have nothing, your Honor.

17 JUDGE BRODSKY: Okay. The briefing was
18 previously established, I think, on the case
19 schedule. It's for April -- it's early April, I
20 think, are the deadlines.

21 MS. BUELL: It's April 10th, your Honor, is the
22 initial brief. And April 18th for the reply brief.

1 JUDGE BRODSKY: Oh, okay. Oh, that's right
2 because it was moved -- there was the one delay, I
3 think.

4 Okay. So that's fine. So as far as
5 the initial ground, there's no particular
6 restrictions on that. As far as the reply brief,
7 please keep that to 20 pages.

8 Okay. Last call. Anything further
9 for today?

10 MR. SPRINGER: Is your Honor interested in
11 receiving a draft order? And, if so, I would propose
12 the date of the reply for that purpose.

13 JUDGE BRODSKY: If you want to file it, I will
14 certainly consider it. If you don't want to file it,
15 I won't require it; and that applies to all parties.

16 MR. SPRINGER: Thank you. We have nothing
17 further.

18 JUDGE BRODSKY: If, for whatever reason, it's a
19 concern between the reply brief and the draft order,
20 then focus on the reply brief.

21 If there's nothing further, then this
22 hearing is adjourned. Thank you, all.

1 MR. SPRINGER: Does your Honor wish to mark the
2 record heard and taken?

3 JUDGE BRODSKY: I think we'll just go with
4 adjourned.

5 HEARING ADJOURNED

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